

**REMARKS**

Upon entry of the amendment and new claim, claims 1-17 will be pending in the above-identified application. Claim 1 has been amended to clarify subject matter regarded as the invention. Claim 17 has been newly added. Support for the amendment and new claim is found throughout the specification including, for example, at pages 40-41 of the specification as originally filed. As such, no new matter has been added.

**Claim Rejections Under 35 U.S.C. §102(e)**

Claims 1-16 are rejected under 35 U.S.C. §102(e) as being clearly anticipated by Sachdeva et al. (U.S. Patent No. 6,315,553).

Although Applicants respectfully disagree with the rejection and do not acquiesce to any reasoning provided by the Examiner, in order to further expedite prosecution of the present application, claim 1 has been amended to more clearly recite inventive subject matter as described in the specification and previously recited in the claims, including more clearly providing antecedent basis for the changes to the graphical representation electronically transmitted as recited in claim 1. As amended, claim 1 recites a computer-implemented method for reviewing tooth arrangements, said method comprising maintaining a digital data set representing a three-dimensional graphical representation of a patient's teeth in a host computer; electronically transmitting the digital data set to a viewing computer; displaying the three-dimensional graphical representation on the viewing computer to a treating clinician; altering a rendered image by manipulating the image graphically so as to generate changes to the graphical representation; and electronically transmitting data comprising the changes to the graphical representation from the viewing computer to the host computer. Applicants respectfully submit that the cited reference fails to teach each and every element as set forth in the currently claimed invention, thereby precluding *prima facie* anticipation. MPEP § 2131.

Sachdeva is directed to a method and apparatus for treating an orthodontic patient including processing that begins by generating digital information regarding the orthodontic

patient by a site orthodontic system. The Examiner has, *inter alia*, cited specifically to Sachdeva at col. 15, line 49, to col. 16, line 10 to support the allegation that the Sachdeva reference would anticipate the claimed invention. While Sachdeva may teach the site orthodontic system updating the digital information after placement of orthodontic brackets, and then providing the updated digital information to the orthodontic server, Sachdeva fails to teach several aspects of the currently claimed invention. In particular, Sachdeva at least fails to teach altering a rendered image by manipulating the image graphically so as to generate changes to the graphical representation and/or electronically transmitting data comprising the changes to the graphical representation from the viewing computer to the host computer, as currently recited in claim 1. Thus, while Sachdeva may teach updating a file with additional files and/or information that is generated after treatment, the cited reference does not teach making changes to a graphical representation and electronically transmitting the changes to the host computer, or several of the elements currently recited in claim 1.

As such, for at least the reasons set forth above, the Sachdeva reference would fail to support a *prima facie* case of anticipation under 35 U.S.C. §102(e) over the currently presented claims because the cited reference fails to teach each and every element of current claim 1. Claims 2-16 will be allowable at least for depending from allowable independent claim 1. Accordingly, Applicants respectfully request that the rejections of claims 1-16 under 35 U.S.C. §102(e) be withdrawn and the claims allowed.

Appl. No. 09/745,825  
Amdt. dated April 13, 2007  
Amendment under 37 CFR 1.116 Expedited Procedure  
Examining Group 2628

PATENT

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

Date: \_\_\_\_\_

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